

SENATE BILL 580

A2

EMERGENCY BILL

11r2182

CF 11r2189

By: **Senator Edwards**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Allegany County – Alcoholic Beverages – Music Promoter 1–Day Special**
3 **License**

4 FOR the purpose of authorizing the Allegany County Board of License Commissioners
5 to grant a certain 1–day special license for use at an entertainment event held
6 by a music promoter; limiting the duration of a certain license; authorizing the
7 Allegany County Board of County Commissioners to determine the amount of a
8 certain fee based on a certain recommendation; requiring license holders to
9 exercise the privileges of the license on county–owned property; requiring the
10 Board of County Commissioners to donate a certain license fee to a certain
11 nonprofit charitable organization; requiring the Board of County Commissioners
12 to designate the recipient of a certain donation; requiring that application for a
13 certain license be made not less than a certain number of days before a certain
14 date; making this Act an emergency measure; and generally relating to the
15 establishment of a 1–day special license in Allegany County.

16 BY repealing and reenacting, without amendments,
17 Article 2B – Alcoholic Beverages
18 Section 7–101(a)
19 Annotated Code of Maryland
20 (2005 Replacement Volume and 2010 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article 2B – Alcoholic Beverages
23 Section 7–101(h)
24 Annotated Code of Maryland
25 (2005 Replacement Volume and 2010 Supplement)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
27 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article 2B – Alcoholic Beverages**

2 7–101.

3 (a) (1) On approval by the board of license commissioners for that
4 jurisdiction, if any, of a proper application, made on forms prescribed by the State
5 Comptroller, signed and sworn to, the license issuing authority may grant the types of
6 special licenses for the periods and at the fees specified in this section.

7 (2) For an application for a statewide license, the Comptroller may
8 grant the license.

9 (3) In Anne Arundel County, the provisions of §§ 10–103(b) and
10 10–202 of this article and § 10–501 of the State Government Article do not apply to an
11 applicant for a special Class C beer license, special Class C beer and wine license, or
12 special Class C beer, wine and liquor license for a period not to exceed 7 consecutive
13 days from the effective date of the license.

14 (h) (1) The provisions of this subsection apply only in Allegany County.

15 (2) The Board of License Commissioners may grant special licenses of
16 any class, except manufacturer’s and wholesaler’s, which entitles their holder to
17 exercise any of the privileges conferred by the respective classes of licenses at any
18 bona fide entertainment held or conducted by any club, society, or association at the
19 place described in the license, for a period not exceeding seven consecutive days from
20 the effective date of the license, upon the payment, before the license is issued, to the
21 Board of License Commissioners of a fee of:

22 (i) \$20 per day for any beer or beer and light wine license; or

23 (ii) \$50 per day, for not more than 14 consecutive days, for any
24 beer, wine and liquor license.

25 (3) (i) The Board of License Commissioners may issue a special
26 permit to holders of Class D beer and Class D beer and light wine licenses that allows
27 the sale of beer, wine and liquor by the drink for consumption on the premises.

28 (ii) A holder of this special permit may continue to sell beer or
29 beer and wine for consumption on or off the premises, but the holder may not sell
30 liquor for consumption off the premises, or purchase or possess liquor on the premises
31 in any size container smaller than 23 ounces or 680 milliliters.

32 (iii) Application for this special permit shall be made not less
33 than 30 days prior to the day on which the permit is to take effect.

34 (iv) The annual fee for this special permit is \$500.

1 **(4) (I) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A**
2 **1-DAY SPECIAL RETAIL LICENSE OF ANY CLASS THAT ENTITLES THE HOLDER TO**
3 **EXERCISE ANY PRIVILEGE CONFERRED BY THAT CLASS OF LICENSE AT A BONA**
4 **FIDE ENTERTAINMENT EVENT HELD BY A MUSIC PROMOTER.**

5 **(II) THE LICENSE IS VALID FOR A PERIOD NOT EXCEEDING 5**
6 **CONSECUTIVE DAYS.**

7 **(III) THE FEE FOR THE LICENSE SHALL BE SET BY THE**
8 **BOARD OF COUNTY COMMISSIONERS ON THE RECOMMENDATION OF THE**
9 **BOARD OF LICENSE COMMISSIONERS.**

10 **(IV) THE LICENSE HOLDER MAY EXERCISE THE PRIVILEGES**
11 **OF THE LICENSE ONLY ON COUNTY-OWNED PROPERTY.**

12 **(V) THE BOARD OF COUNTY COMMISSIONERS SHALL:**

13 **1. DONATE THE LICENSE FEE TO A BONA FIDE**
14 **NONPROFIT CHARITABLE ORGANIZATION THAT IS TAX EXEMPT UNDER §**
15 **501(C)(3) OR (4) OF THE UNITED STATES INTERNAL REVENUE CODE; AND**

16 **2. DESIGNATE THE BONA FIDE CHARITABLE**
17 **ORGANIZATION TO BE THE RECIPIENT OF THE DONATION.**

18 **(VI) TO QUALIFY FOR THE LICENSE, A PERSON SHALL**
19 **SUBMIT AN APPLICATION NOT LESS THAN 30 DAYS BEFORE THE DAY ON WHICH**
20 **THE LICENSE IS TO TAKE EFFECT.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
22 measure, is necessary for the immediate preservation of the public health or safety,
23 has been passed by a yea and nay vote supported by three-fifths of all the members
24 elected to each of the two Houses of the General Assembly, and shall take effect from
25 the date it is enacted.